

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas *As Engrossed: S2/21/19 S3/7/19 S3/14/19*
92nd General Assembly **A Bill**
Regular Session, 2019

SENATE BILL 377

By: Senators Irvin, *Flippo*
By: Representatives *M. Gray, McNair*

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING THE COLLECTION AND
DISTRIBUTION OF SOLID WASTE DISPOSAL AND
*TRANSPORTATION FEES; TO PROVIDE FUNDING FOR UNPAVED
ROADS; AND FOR OTHER PURPOSES.*

Subtitle

TO AMEND THE LAW CONCERNING THE
COLLECTION AND DISTRIBUTION OF SOLID
WASTE DISPOSAL AND TRANSPORTATION FEES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 8-6-607 is amended to read as follows:
8-6-607. Collection of fees.

~~Fees imposed under the separate provisions of this subchapter shall be collected as follows~~ (a) On or before January 15, April 15, July 15, and October 15 of each year, each landfill permittee and each solid waste transporter shall:

(1) ~~Each landfill permittee and each solid waste transporter shall submit~~ Submit to the Arkansas Department of Environmental Quality ~~on or before January 15, April 15, July 15, and October 15 of each year~~ a quarterly report that accurately states the total weight or volume of solid waste received at the landfill or transported out of state during the quarter just completed; and

(2) ~~On or before January 15, April 15, July 15, and October 15 of each year, each landfill permittee and solid waste transporter shall pay~~



Pay to the department the full amount of disposal and transportation fees imposed and collected under this subchapter due for the preceding quarter just completed.

~~(3) (b)(1)~~ Except as provided in subdivisions ~~(4)(b)(2)~~ and ~~(5)(3)~~ of this section, the disposal and transportation fees collected under this section shall be special revenues and shall be deposited into the State Treasury to the credit of the Solid Waste Management and Recycling Fund for administrative support of the Compliance Advisory Panel.

~~(4)(A)(2)~~ Twenty-five percent (25%) of the disposal fees collected under subsection (a) of this section from landfills ~~where in which~~ a private industry bears the expense of operating and maintaining the landfill solely for the disposal of wastes generated by the private industry shall be deposited quarterly into ~~a special revenue fund to be created on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State and to be known as the "Marketing Recyclables Program Fund"~~ the Marketing Recyclables Program Fund.

~~(B) The Marketing Recyclables Program Fund shall be administered by the department and used by the panel for the administration and performance of the panel's duties; and~~

~~(5)(3) Beginning July 1, 2013, excluding Except for the disposal fees that are to be deposited into the Marketing Recyclables Program Fund under subdivision (4)(b)(2) of this section, the first one hundred fifty thousand dollars (\$150,000) of the fees collected each fiscal year under this section shall be deposited into the State Treasury and credited to the Crime Information System Fund to be used exclusively for the scrap metal logbook program, before disbursing moneys to the regional solid waste management boards, the department shall deposit the following moneys into the following funds each fiscal year:~~

(A) One hundred fifty thousand dollars (\$150,000) into the Crime Information System Fund to be used exclusively for the scrap metal logbook program; and

(B) Three hundred thousand dollars (\$300,000) into the Arkansas Unpaved Roads Program Fund.

SECTION 2. Arkansas Code § 8-9-104, concerning the definitions related to recycling, is amended to add an additional subdivision to read as follows:

(13) "Person" means an individual, municipality, other governmental entity, or another entity recognized by law with rights and duties.

SECTION 3. TEMPORARY LANGUAGE. DO NOT CODIFY. This act applies to annual disbursements under § 8-6-607 beginning in fiscal year 2020.

/s/Irvin